

**Citizens Committee for Michigan State Parks
Wednesday, December 7, 2005
Potter Park Zoo, Lansing**

Minutes

CCMSP MEMBERS PRESENT

Murdock Jemerson, Chair
Tom Bailey
Jim Bradley
Betsy Clark, Secretary
Hurley Coleman (arrived at 10:25 a.m.)
Tom Ferguson, Vice Chair
Christopher Graham
Jim Hendricks
Robert Hoffmeyer
Kathy Lewand
Mike McDonald
Mary Pitcher
William Rose
Todd Scott

CCMSP MEMBERS NOT PRESENT

Charles Nelson
Janet Howard Washington
Sam Washington

CCMSP EX-OFFICIO MEMBERS PRESENT

Donna Stine for Sam Washington
John Halsey for Sandra Clark

CCMSP EX-OFFICIO MEMBERS NOT PRESENT

Keith Charters
Curtis Hertel
Duncan Wyeth

DEPARTMENT OF NATURAL RESOURCES (DNR) STAFF

Dennis Fox, Chief of Staff, DNR
Jane Schultz, Budget and Support Services, DNR
Ron Olson, DNR/Chief, Parks and Recreation Division (PRD)
Sandy Simpson, DNR/PRD
Vicki Anthes, DNR/PRD
Tony Herek, DNR/PRD
Harold Herta, DNR/PRD
Lowen Schuett, DNR/PRD
George Cameron, DNR/PRD
Paul Curtis, DNR/PRD

Chair Murdock Jemerson called meeting to order at 10:00 a.m. and roll call taken of members present. **Chair Jemerson** welcomed the committee members to Potter Parks Zoo. **Chair Jemerson** briefly shared current and future developments of the Zoo and passage of the recent millage for the Lansing Parks and Recreation Department. **Chair Jemerson** extended an invitation to members to visit the Zoo during the 2005 Wonder of Lights display that runs throughout the Zoo until December 31, 2005.

ADOPTION OF MINUTES FROM CCMSP MEETING – September 22, 2005

MOTION: Committee member **Tom Bailey** moved to approve the minutes of the September 22, 2005 CCMSP meeting. The motion was seconded by **Mary Pitcher** and the minutes were unanimously approved as written.

PUBLIC COMMENTARY

Chair Jemerson asked for general public commentary. There was none. **Ron Olson** continues work on the general public commentary guidelines for review by the committee at the February 2006 CCMSP meeting.

SUBCOMMITTEE REPORTS/RECOMMENDATIONS

Long-Term Finance Subcommittee – Ron Olson gave an overview of the minutes from the meeting held on November 23, 2005. **Olson** highlighted on several items such as franchising, the optimal budget process and the funding amounts needed for operations, infrastructure, and emergency repairs, the fee model, and the 2006 infrastructure assessments. The subcommittee recommends inviting legislators and resource groups to attend future CCMSP meetings. **Olson** shared that all DNR Divisions are presenting optimal budgets the January 12, 2006 Natural Resources Commission (NRC) in Muskegon, Michigan. The subcommittee and the PRD staff will keep the CCMSP updated as the optimal budget process as it moves forward. **Olson** shared the subcommittee discussed various funding options for consideration and preparing a “draft” issue paper outlining options with various scenarios and timeframes. Once the draft issue paper is prepared, the subcommittee will present the document to the CCMSP of the whole. **Olson** referenced the Russell Harding, former Director of the Michigan Department of Environmental Quality, article that sparked a statewide debate about selling of parks and recreation land and the PRD had not received any input from citizens supporting the article.

The subcommittee is recommending renaming the Short-Term Subcommittee to the Fee Subcommittee (using the same membership). The CCMSP concurred with the recommendation. The CCMSP discussed the MVP memorandum and Resolution No. 12-2005-01 provided for review.

Committee member **Tom Bailey** made a motion to adopt the proposed MVP Resolution No. 12-2005-01. Motion supported by Chris Graham to approve the resolution. Discussed adding the following language: *Whereas, no general funding support is provided by the legislature for state parks and recreation areas for operations, maintenance, and capital outlay improvements, and;*

The CCMSP members discussed amended resolution to add language indicating that the state parks and recreation system receives no general tax funding from the legislature.

Committee member **Chris Graham** made a motion, supported by **Kathy Lewand** to amend the proposed MVP resolution as indicated above.

The motion unanimously carried.

The motion to adopt the MVP Resolution, as amended, unanimously carried.

Short-Term Finance – Chair Chuck Nelson stated the subcommittee met on July 11, 2005. **Nelson** spoke at the August Natural Resources Commission (NRC) meeting sharing the proposed fee increases, as recommended by the subcommittee. Received NRC concurrence with the subcommittee recommendations. **Harold Herta** gave a brief overview of the intermittent camping program and explained the intermittent/storage proposal submitted that was approved by the NRC as well. The subcommittee asked the members forward any issues they would like the subcommittee to review/follow-up.

Innovations and Marketing Subcommittee – The CCMSP members reviewed the October 19, 2005 subcommittee report. The subcommittee concurred with the recommendation of the PRD staff's for an innovations and marketing team as a PRD standing committee. Discussion occurred relative to merchandising methods and updated research on potential income sources. Various CCMSP members shared their experiences with merchandising efforts and found it did not generate large amounts of revenue. Discussion continued relative to the licensing and protecting the state parks and recreation logo. In addition, members discussed the importance for selling high quality items, without losing revenue. Comments made regarding the role of Department of History, Arts, and Libraries (HAL) within the state parks and recreation system. The PRD staff informed CCMSP members that not all of Michigan's parks and recreation areas have a concessionaire, but all state parks and recreation areas have a headquarters building. Members referenced the State Park Foundation (appointed by the governor) and using this foundation as a base for the CCMSP to interlace with friends groups and corporate partnerships.

Programming and Operations – Chair Betsy Clark stated the subcommittee continues to work with PRD staff on the grid sheet distributed at the September meeting.

Stewardship – Chair Mike McDonald stated the subcommittee held its meeting today at 8:00 a.m. The subcommittee is working on a resolution to present at the next meeting relating to the natural and cultural resources. **McDonald** stated he attended the November NRC meeting. Discussion occurred regarding the 2006 Michigan Natural Resources Trust Fund Board (MNRTF) recommendations and the discussed the Department's appeal before the Supreme

Court regarding the Comben Case. The CCMSP members asked for support of the brief submitted by the Michigan United Conservation Clubs (MUCC) on December 13, 2005.

MOTION: Committee member **Bill Rose** motioned to support the brief, supported by **Hurley Coleman**.

Discussion continued regarding the brief and the CCMSP members discussed concern with supporting the brief prior to a thorough review. **Bill Rose** withdrew the motion to support the brief until it read by the committee of the whole. **Donna Stine** offered to provide a faxed copy of the brief for the members after lunch for review and added that MUCC is mailing out a letter of support of the brief on December 8, 2006.

Discussed providing a resolution supporting the Department's efforts. Member **Chris Graham** presented the following resolution language for adoption by the CCMSP as follows:

RESOLUTION NO. 12-2005-05

Support for the Department's Appeal before the Supreme Court in the Comben Case, Joining Amicus Curiae Action by the Michigan United Conservation Clubs, et al.

WHEREAS, the Citizens Committee for Michigan State Parks (CCMSP) has become aware of a serious threat to the Michigan Natural Resources Trust Fund (MNRTF) and to the Michigan State Parks Endowment Fund (MSPEF) by a challenge raising question of ownership of mineral, oil or gas rights on tax reverted, state-owned lands, and;

WHEREAS, grants by the MNRTF over the past 28 years have been the key source of funds (tens of millions of dollars) for the acquisition of park, recreation, and trail lands, and for the development of local recreational facilities and activities, throughout the State – including for the State Parks and Recreation system, and;

WHEREAS, over the past nine years funding from the same sources (\$10M each year) have been deposited in the MSPEF, which has and will increasingly play a crucial role in the operation, management and development of the State Park and Recreation system, and;

WHEREAS, currently the State Parks and Recreation system receives zero State of Michigan General Fund dollars to support its operations, maintenance and capital needs, and;

WHEREAS, income from bonuses, rental fees, and royalties from oil and gas extraction on State-owned lands has been the income source for these Funds, and;

WHEREAS, in precedent unchanged since lands began to revert to the State more than 70 years ago, through thousands of individual transactions most in the 1930's, through every reading over that time of the Constitution and property tax law prior to this case – all mineral, oil and gas holdings are returned to the State as part of each property foreclosed for nonpayment of real property taxes, and;

WHEREAS, severed rights holders have always been able to pay delinquent property taxes on their holdings to preserve their interests. There has been no doubt all these years those rights would be lost in foreclosure for nonpayment of taxes, and;

WHEREAS, a ruling upholding the viewpoint of lower courts, possibly reversing the precedent and the long-standing reading of the law, may cause the State to repay tens (perhaps hundreds) of millions of dollars, to spend thousands (perhaps tens of thousands) of hours in staff time to untangle true ownerships (often now impossible) and to deal with legal challenges already filed or waiting, and;

WHEREAS, such results could at least destroy the MNRTF and the MSPEF and could have disastrous effects upon the State's ability to manage its lands, and;

SO BE IT RESOLVED, that the CCMSP expresses its earnest concern about this matter to members of the Supreme Court, and;

RESOLVED, that this Resolution will cause a request that the CCMPS to be added to the Michigan United Conservation Clubs (et al) Amicus Curiae Action in this case, and;

RESOLVED, that the CCMSP urges the Justices of the Supreme Court to re-affirm that mineral, oil and gas rights have been and can continue to be part of any and all foreclosure proceedings for nonpayment of real property tax.

MOTION: Committee member **Bill Rose** motioned to support the Resolution No. 12-2005-05, supported by **Hurley Coleman**.

The motion to adopt the MVP Resolution, as amended, unanimously carried.

Resolution No. 12-2005-05 unanimously adopted on December 7, 2005 by the Citizens Committee for Michigan State Parks.

Member **Chris Graham** thanked the MUCC for their work on behalf of the MNRTF. **Dennis Fox** informed the members of the upcoming 30th anniversary of the MNRTF and DNR internal discussions are occurring. The members discussed potential methods for official notification indicating support of the Anniversary MNRTF's 30th Anniversary.

Interpretation and Education – Chair Kathy Lewand stated the subcommittee met and learned the interpretation services are now under the DNR/Office of Communication, not the PRD. The subcommittee discussed methods of creating more partnerships, workings with friends groups, and holding joint meetings with other CCMPS subcommittees to avoid duplicative efforts.

MISCELLANEOUS FEES REQUEST/NRC APPROVAL

Harold Herta gave an overview of the draft Resolution No. 12-2005-01 and spreadsheet indicating the various miscellaneous fees. The members discussed the Miscellaneous Fees Resolution that seeks approval of proposed fees (based on market value) through the DNR Director, with NRC oversight. **Herta** shared the “miscellaneous fees” has not been submitted to the DNR Director for change since 2001 and the need to clarify the role of the legislature in setting fees. Herta stated the Long-Term Finance Subcommittee received a briefing on the resolution and supported the document.

MOTION: Committee member **Tom Bailey** motioned to support the Miscellaneous Fee Resolution, supported by **Mary Pitcher**.

The CCMSP discussed methods to respond to legislative activities and the best mechanism to ensure representation for legislation introduced that affects the parks and recreation system. The CCMSP agreed to add legislative issues as a standard agenda item. **Chair Jemerson** moved to appoint future legislative concerns/issues to the appropriate CCMSP subcommittee to address. The CCMSP of the whole concurred.

Ron Olson discussed pending legislation, House Bill 5209, that will allow major film companies to film on state of Michigan property at no charge. The PRD staff shared that there is no protection built into the legislation to reimburse for property damage. In addition, PRD policies are in place for advertising in parks and recreation areas, but filming is exempt. **Olson** to keep the CCMSP updated on this legislation.

COLDWATER LAKE STATE PARK (CWSP) LEASE

Harold Herta shared Resolution No. 12-2005-03 for CCMSP review and support. The DNR/PRD currently owns approximately 400 acres of land in Branch County with approximately one-half mile of lake frontage on Coldwater Lake. Coldwater Lake State Park has never developed for recreational purposes other open space and hunting opportunities. Proposals were presented to the DNR by Branch County Branch County to manage the park as conservation area, while keeping the property open to hunting. Branch County also proposes the development of a small parking area and some interpretive trails. Discussed the delay in the draft lease agreement and that a one-year use permit was issued for Branch County to manage the property. Branch County will continue to work with PRD staff and the leasing concept has received approval from the DNR’s Land Exchange Review Committee (LERC). The PRD staff recommends approval of the resolution by the CCMSP and that this property is revenue neutral and will retain it status and name as a state park. The PRD staff to research the potential for performing a master plan of Coldwater Lake State Park as well.

MOTION: Committee member **Tom Bailey** motioned to support the Resolution No. 12-2005-03 supported by **Hurley Coleman**. The resolution was passed 10 to 3.

Motion carried and passed.

IONIA RECREATION AREA (RA) MANAGEMENT

Paul Curtis

Paul Curtis summarized management zones as Primitive, Ecologically Sensitive, Natural Resource Recreation, Field Trial Course, Developed Recreation, Scenic, Cultural Resource, and Visitor Services. **Paul** stated that the next step is approval from the DNR Director's office. Members raised concerns regarding the process and seeking the CCMSP approval for PRD management plans. **Olson** discussed the importance of the CCMSP's input/recommendations on the management plans to help support the Director in this effort. **Paul Curtis** shared that 65 citizens attended the public information meetings with 99 percent in favor of the plan. The shooting range remains within the plan and identified as a culture resource within a recreation zone. The DNR website provides links to the management plans, and once approved, will show the entire management plan. Member **Tom Bailey** made the recommendation to correct a typo and change "commend" to "recommends" and stated he would like to know more about the shooting range before showing support of the Ionia Management Plan. The members discussed assigning future management plans to the appropriate CCMSP subcommittee prior to review by the committee of the whole.

MOTION: **Tom Bailey** moved that future management plans are assigned to the appropriate CCMSP subcommittee, supported by **Betsy Clark**.

MOTION: **Jim Hendricks** moved for the Ionia Recreation Area Management Plan be assigned to the CCMSP Stewardship Subcommittee, supported by **Tom Ferguson**.

Discussion continued and member **Tom Bailey** offered the following amended motion the Ionia Recreation Area Management Plan:

The CCMSP to approve Resolution 12-2005-04. The process for approval for resolutions of future management plans will first be delegated to the appropriate CCMSP subcommittee to review and recommendations to the committee of the whole. Amended motion passed 10 to 3. Motion carried and passed.

Member **Tom Bailey** stated for the record, he is not throwing stones at the staff and understands their hard work, but does not want to make a decision one way or the other based on a 20-minute presentation.

Ron Olson provided an update on the Emerald Ash Borer (EAB). Discussed the gateway state's concern for the EAB crossing-over in into their states. The DNR and the Michigan Department of Agriculture (MDA) continues to work on this critical issue. **Olson** will provide updates to the CCMSP as appropriate. **George Cameron** shared that he receives weekly updates and discussed PRDs strategy to keep the borer from crossing the Mackinac Bridge, but two locations in the Upper Peninsula is now infested. The MDA's does not have a budget for the EAB effort and the PRD does not have the resources to remove all the trees. **Cameron** named the affected areas in southeast Michigan where the EAB has destroyed trees and shared plans for tree removal.

The PRD staff reported that the Michigan Department of Corrections showed an interest in establishing seed collection for high use with native materials.

Ron Olson updated the CCMPS on the contract awarded to Spherix for the Central Reservation System and the provision requiring its call center is located in the state of Michigan, rather than Maryland. This contract is a renewable, 3-year contract. Camping reservation numbers are the same as in were in 2004 during this time. **Olson** to keep the committee updated on the impact of the new fees. **Olson** reported the P. J. Hoffmaster State Park controlled deer hunt in November was a success with 25 deer harvested and will report the numbers from the upcoming weekend hunt to the CCMSP members.

The CCMSP discussed the meeting date for February 2006.

MOTION: Murdock Jemerson motioned to hold the next meeting on Thursday, February 16, 2006 from 10:00 a.m. to 2:00 p.m. at the RenCen in Detroit. Motion supported by committee members. Motion unanimously carried.

Jim Bradley and **Chris Graham** stated they cannot attend.

The CCMSP meeting adjourned at 1:45 p.m.

MOTION: Member Mary Pitcher motioned to adjourn, supported by **Todd Scott**. Motion carried. CCMSP meeting adjourned at 1:45 p.m.